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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/961,534	10/30/97	RAJI	B FYFE-100
			EXAMINER
		QM61/0701	
W PATRICK BENGSSON LIMBACH & LIMBACH L.L.P. 2001 FERRY BUILDING SAN FRANCISCO CA 94111		PLATE UNIT	PAPER NUMBER 7 12
			3753
DATE MAILED: 07/01/98			

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-20 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims _____ are allowed.
4. Claims 1-20 are rejected.
5. Claims _____ are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

Best Available Copy

EXAMINER'S ACTION

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 and 10-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Venzi. The patent to Venzi discloses the recited apparatus and method for repairing a pipe comprising a pipe wall having an internal and external surface, a reinforcement layer for attachment to either the inside or outside of a pipe, where the reinforcement layer is made from a fabric layer made from polyamides or graphite fibers impregnated with plastic, an adhesive coat is provided which is equivalent to a tack coating, a primer coating is provided where the reinforcement layer is preformed and prepared outside the pipe in a partially cured state, a device can be used to hold the layer to the pipe while curing where a scaffold is considered equivalent to any form of apparatus to hold it, the pipe is cleaned and can be dried before attaching the reinforcement layer,

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and plural wrappings can be provided, and the fibers can be arranged in many different ways including offset at angles.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Venzi. The patent to Venzi discloses all of the recited structure with the exception of using a specific type of adhesive and primer. It is considered an obvious choice of mechanical expedients to use any known equivalent adhesive and primer desired to meet certain environmental needs, and it would have been obvious to one skilled in the art to modify the primer and adhesive in Venzi to include any of the materials set forth in claim 9 as such are known equivalent types of adhesives used in the art to adhere layers together and such is an obvious choice of mechanical expedients for one skilled in the art to use routine experimentation to arrive at optimum materials for use in specific environments.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Stephens, Takada, Wood, Ohtsuga, Higuchi, Rich, Kaneda, Schwert, and Catallo disclosing state of the art methods of repair and fabric liners for repairs of pipes.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Hook whose telephone number is (703) 308-2913.

J. Hook
June 22, 1998

James Hook
JAMES HOOK
PATENT EXAMINER

Attachment 7

The drawings submitted with this application were declared informal by the applicant. Accordingly, they have not been reviewed by a draftsperson at this time. When formal drawings are submitted, the draftsperson will perform a review.

Direct any inquiries concerning drawing review to the Drawing Review Branch (703) 305-8404.